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TO

Provide for proceeding on Petitions of Right in the Courts of Law and Equity in Ireland. A.D. 1873.

WHEREAS an Act was passed in the session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act to amend the law relating to petitions of right, to simplify the proceedings, and to make provision for the costs thereof:"

And whereas it is expedient to make provision for the trial of petitions of right in the courts of law and equity in Ireland in the same manner as under the said statute they may be tried in England:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may upon all occasions and for all purposes be cited as "The Petitions of Right Act, 1873." Short title of Act.

2. Any petition of right may, if the suppliant think fit, be entitled in any one of the superior courts of common law or equity at Dublin in which the subject matter of such petition, or any material part thereof, would have been cognisable if the same had been a matter in dispute between subject and subject; and every such petition shall be in the form by the said Act prescribed, and upon the presentation of such petition the proceedings shall be the same as are provided for by the said Act, save and except that same may be, if Her Majesty shall be pleased to grant her fiat to that effect, prosecuted in the court in which same shall be so entitled, or in such other court as the Lord Chancellor of Ireland may direct. Petition of right may be entitled in Irish court.

3. Provided always, that every petition so entitled shall contain an averment that the subject matter of the said petition, or a material part thereof, arose within that part of the United Kingdom in Ireland. Matter over that cause of action arose in Ireland.

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A.D. 1873. — of Great Britain and Ireland called Ireland, and such averment shall be deemed to be a material and necessary statement in the case of the suppliant, and a traverse of such averment shall be deemed to be a sufficient pleading in bar of the suppliant's right to recover. 5

*Provisions of
Petitions of
Right Act
to apply.*

4. All the clauses and provisions of "The Petitions of Right Act, 1860," shall extend to and be applicable to proceedings under this Act, and shall in relation to such proceedings be construed as if the courts of law and equity in Ireland had been named in such Act instead of the courts of law and equity in England, and the word "court" shall in relation to such proceedings be construed to mean any one of the superior courts of common law at Dublin in which any such petition is presented, and all judgments and decrees pronounced by any court of law or equity in Ireland under this Act shall have the same force and effect to all intents and purposes as judgments and decrees pronounced under "The Petitions of Right Act, 1860," by any court of law or equity in England. 10 15

*Irish courts
to make
rules.*

5. The power of making rules and orders conferred upon the judges of the Court of Chancery and common law in England by the fifteenth section of the said Act shall and may, in relation to the proceedings under this Act, be exercised by the judges of the Courts of Chancery and common law in Ireland respectively, in the same manner in all respects and subject to the same provisos and restrictions as in such section provided and contained. 20

*Forms pre-
scribed in
Petitions of
Right Act
to be used.*

6. The forms contained in the schedule annexed to the said Act shall be applicable to proceedings under this Act, with such alterations and additions as may show that such petition is entitled and such proceedings had in one of Her Majesty's superior courts of common law or equity in Ireland. 25

Petitions of Right (Ireland). ---

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To provide for proceeding on Petitions
of Right in the Courts of Law and
Equity in Ireland.

*(Prepared and brought in by
Mr. Bosc, Sir Colman O'Loghlin, and Mr. Gifford.)*

*Ordered, by The House of Commons, to be Printed,
12 June 1873.*

[Bills 189.]

Under 1 08.